

CITY OF WHITEWATER POLICY FOR FILLING COUNCILMEMBER POSITION VACANCIES

General: In order to provide the citizens of the City of Whitewater with appropriate representation, a uniform procedure shall be used by the Common Council to fill vacancies in the elected position of councilmember.

- Procedures:
1. Whenever a councilmember position becomes vacant under the conditions listed in Sec. 17.03, Stats., the vacancy is filled by Common Council appointment, except when a recall election is held. A councilmember shall be chosen from interested candidates residing in the affected district, or in the case of an at-large position, from interested candidates residing in the City. A person so appointed shall hold office until a successor is elected and qualified.
 2. According to Sec. 17.23(1)(a):
 - a) If a vacancy occurs on or before December 1, and the term does **not** expire the following April, unless otherwise ordered by the Council, a successor is chosen at the spring election.
 - b) If the vacancy occurs after December 1 preceding the first Tuesday in April, a successor is appointed and the election is held in April of the second year following the December cutoff date.
 - c) If a vacancy occurs between January 1 and May 31 of the second year of the unexpired term, Council appoints a person to fill the vacancy and has the option to order a special election concurrent with the November election.
 3. At the next meeting of the Common Council after a position becomes vacant, the Council will declare the position to be vacant and may request that the City Clerk advertise the vacant position through a news release, through an advertisement in the City's official newspaper, and through any other means deemed appropriate. At this time the Council will establish a deadline for applications to be received from interested candidates. Such deadline should be at least one week prior to the meeting when candidates will be interviewed. (The Council, where authorized by the Wisconsin statutes, by a majority of those present, may, on the first Council meeting following a vacancy, elect to follow the alternative procedure of holding a special election, which election would be ordered as soon as possible, pursuant to the procedures and time frames set forth in the Wisconsin Statutes, as they are interpreted by the Government Accountability Board.
 4. Applicants will be required to submit a completely filled out Letter of Interest to Serve on Common Council. This form will be available on the City website or upon request of the City Clerk. Candidates may submit reference letters. Only applications received by the published deadline will be considered.
 5. Interviews are conducted in open session Common Council meetings. As with all open sessions, interested news media and public may be present throughout the entire process. No public input will be taken during the interview or voting process.
 6. The candidates will be notified of the date when applications will be considered and requested to attend.

7. Each candidate will be given an opportunity to make a presentation to the Council and the Council may ask candidates questions. All candidates may be present throughout the process.
8. After the presentations have been concluded, the Council may discuss qualifications of candidates. The Council may recall individual candidates to clarify any issues previously discussed. The Council may decide not to choose a candidate at the current meeting and decide on a different process for the appointment.
9. Each councilmember votes for one candidate. Voting may be conducted by roll call or by paper ballot. If paper ballots are used, ballots must contain the name of the person voting. The individual receiving the least number of votes on the first ballot will no longer be considered a candidate and additional balloting continues using the same process until only one candidate receives a majority of votes cast. There may be additional discussion by councilmembers between each vote. A candidate must receive a majority of votes cast to be elected. An abstention by a councilmember during the voting process is not considered a vote.
10. Following the completion of balloting, the prevailing candidate shall be appointed to complete the unexpired term of office.
11. The oath of office shall be administered by the City Clerk and the responsibilities and term of office shall be assumed immediately.
12. The individual appointed may seek candidacy for the elected office.
13. This policy may be amended at any time.

Adopted 12/4/2012